

WICHITA POLICE DEPARTMENT

POLICY NO. 503

SUBJECT: HOMELESS OUTREACH TEAM	
Effective Date: 05-09-2019	Distribution: All Personnel
Reviewed/Approved Date: 04-30-2019	Next Review Date: October 2020
Approved By: Executive Staff	Amends/Rescinds: 01-12-2019
<i>This policy is for departmental use only and does not apply in any criminal or civil proceeding. This policy should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this Policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting</i>	

I. PURPOSE

The Wichita Police Department recognizes that homelessness is not a crime. A non-traditional policing approach incorporates flexibility, creativity, and partnerships into the homeless intervention process. Dealing with the homeless population poses unique challenges. The Homeless Outreach Team Police Officer's efforts will be to connect people with available community services, encourage self-help, offer potential quality of life enhancement and serve as an alternative to jail.

II. PROCEDURES

A. General Guidelines

1. Upon investigation, any law enforcement officer that investigates an individual who is in violation of the no camping ordinance pursuant to 5.20.010, will first ascertain if the individual is homeless. If the individual cannot or does not respond to the officer, the officer must make the best decision considering the totality of the circumstances to whether or not the individual is homeless.
2. If the individual is not homeless, the officer will ask the citizen to show proof of a permit for camping. If the citizen does not have a permit, then the procedure for policy 302 can be followed. Officers are advised to consider discretion as an option as well.
3. If the individual has been deemed homeless, the investigating officer will make an attempt to have a H.O.T. certified officer make the scene. If a H.O.T. officer is not available, the officer will forward the homeless person's information and location to the H.O.T. coordinator or document the information on the H.O.T. Intel Hub to be followed up by a H.O.T. officer. A H.O.T. officer will issue the homeless individual a verbal warning and document the warning on an authorized WPD H.O.T. Contact form (WPD #32-072) located on the Police secure portal and the H.O.T. intel hub. This warning will expire upon 48 hours from the date

and time documented on the H.O.T. form. During this 48 hour period, the individual is given the opportunity to vacate and remove the encampment. The H.O.T. officer will also give the homeless individual a referral to an agency that would best suit that person's needs. Upon expiration of the 48 hour verbal warning, the individual shall be deemed in violation of ordinance 5.20.010.

4. If upon expiration of the 48 hour verbal warning, a H.O.T. officer contacts an individual for the second time and it is confirmed on a H.O.T. form the individual has been warned of the no camping ordinance, the officer will make reasonable attempts to find a temporary shelter for the homeless individual utilizing either the WPD homeless brochure for resources or by calling 211 to locate an appropriate placement. If no such shelter can be located, the shelters are full, or they will not accept the individual, no criminal case will be made for the incident and the individual is left alone. The H.O.T. officer is encouraged to look for other methods to assist the homeless individual, whether it is utilizing a bus ticket to reunite with family members or looking for other resources to assist in getting needed services.
5. All officers are expected to use discretion in accordance with ordinance 5.20.010, to balance the needs of the individual with the needs of the community on a case-by-case basis. It is anticipated chronic violators will try to abuse this procedure by seeking repeated warnings. A repeat warning may be appropriate for one circumstance (e.g., an individual is on a wait-list with a local service provider and more time is required to ensure the correct service is provided) and inappropriate for another (e.g., a chronic violator has already received three prior warnings).
6. Once a violation of 5.20.010 has been documented on an official WPD offense report, officers may take items of evidentiary value (e.g. tents, sleeping bags and/or other camping paraphernalia) and place them into evidence. The officer will allow the violator the option of keeping any personal identification documents such as state issued ID's, birth certificates, Social Security cards, military cards, etc. on their person. A coordinated clean-up effort will be made with Public Works or the Parks Department. If feasible to do so, an appropriate homeless provider or a homeless coalition group may be asked to assist with the remaining trash or items left at the campsite. The homeless coalition member will have the first option to save any items they deemed savable. This cleanup must be posted using a departmental approved cleanup sign and 72 hours provided for any individual to remove any wanted items. During this 72 hour period, an appropriate homeless provider or homeless coalition member will be contacted to assist with the removal if they choose to do so.